

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 1660 of 2007(V)

PETITIONER:

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ABDUL MAJEED, AGED 55,  
S/O.MOHAMMED HANEEFA, MEDAYIL HOUSE,  
KOTTIYAM P.O., KOLLAM.

BY ADV. SRI.R.T.PRADEEP  
SRI.V.VIJULAL

RESPONDENTS:

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1. THE SECRETARY, DEPARTMENT OF LOCAL  
SELF GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM.
  2. THE DIRECTOR OF URBAN AFFAIRS,  
DIRECTORATE OF URBAN AFFAIRS,  
THIRUVANANTHAPURAM.
  3. THE SECRETARY, CORPORATION OF KOLLAM.
  4. THE SECRETARY, MUNICIPALITY,  
CHENGANNUR.

BY ADV. SRI.S.HARIKRISHNAN, SC, MC, CHENGANNUR  
SRI. M.K.CHANDRAMOHANADAS, SC.  
GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF THE RELIEVING ORDER DTD.31.5.2006.
- EXT.P2: COPY OF THE VERIFICATION REPORT DTD.10.7.2006.
- EXT.P3: COPY OF THE ORDER DTD.21.11.2006 BY RESPONDENT NO.2.
- EXT.P4: COPY OF THE REPRESENTATION DTD. 15.12.2006 BY PETITIONER  
BEFORE RESPONDENT NO.3.
- EXT.P5: COPY OF G.O.(P).NO.815/2002 DTD.27.3.2002.
- EXT.P6: COPY OF THE COMMUNICATION DTD.12.10.2006 FROM RESPONDENT  
NO.1.

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RESPONDENT'S EXHIBITS:

- EXT.R4(a): COPY OF THE COMMUNICATION NO.A5-15225/06 DTD.9.5.2006 ISSUED BY  
THE 3RD RESPONDENT TO THE 4TH RESPONDENT.
- EXT.R4(b): COPY OF THE COMMUNICATION NO.A3/2667/06 DTD. 20.6.2006 ISSUED BY  
THE 4TH RESPONDENT TO THE 3RD RESPONDENT.

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// TRUE COPY //

K.BALAKRISHNAN NAIR, J.

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W.P.(C) No.1660 of 2007-V  
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Dated this the 19th day of July, 2007.

**J U D G M E N T**

The petitioner retired from the Kerala Municipal common service, while working as Superintendent in the Corporation of Kollam. Feeling aggrieved by the delay from the part of the respondents, to release the DCRG and commuted value of pension, this writ petition is filed.

2. The learned Government Pleader, upon instruction submitted that the liability of the petitioner has been finalised and the DCRG has been authorised to be paid to him, by order dated 29-3-2007, by the second respondent. The Corporation of Kollam has been asked to release Rs.1,36,960/- as DCRG to the petitioner. This court has already issued an interim order on 12-4-2007, to take action in the light of Ext.P3, to pay the commuted value of pension.

The Writ Petition is disposed of directing the third respondent to release the afore-mentioned amount of DCRG authorised to be paid by the second respondent and also the commuted value of pension, covered by Ext.P3 order, within one month from the date of production of a copy of this judgment. The petitioner is entitled to get a cost of Rs.1,000/- (Rupees one thousand only) which shall be paid by the third respondent, while releasing

the afore-mentioned amount due to him.

K.BALAKRISHNAN NAIR,  
JUDGE.

MS